

The *Professional and Occupational Associations Registration Act* (POARA) Fact Sheet

What POARA is

POARA is an “umbrella act” that regulates professions and occupations that are not regulated under other Alberta statutes. The purpose of POARA is to protect the public interest and public safety by ensuring that members of registered professions and occupations meet certain standards.

What POARA does

POARA grants self-governing responsibilities to non-health professional regulatory organizations (PROs) for their respective professions including the assessment, registration, conduct and discipline of their membership.

POARA is “title protection” legislation - it is designed to protect the professional titles of members in registered associations. The act does not restrict practice rights or the right to work in any way. Only members of the professional association under POARA are authorized to use the protected title(s). This legislation, however, does not compel the employment or registration of practitioners, but rather acts as a mechanism for informed choice. This type of legislation is unique to Alberta as no comparable legislation is found in any other Canadian province or territory.

How POARA protects Albertans

Provincial governments are responsible for regulating professions and occupations and do so through the development of various forms of legislation. These laws are established to protect users of the service, to protect and serve the public interest as well as the interest of public safety.

Consumers often must choose among several groups or persons who provide a particular service. POARA helps consumers with this choice by establishing a register of individuals who have met certain standards.

By restricting the use of designated titles to only those members that have met the requirements of the association, valuable information is available to consumers and employers. This helps Albertans make informed choices when purchasing services or making hiring decisions.

If the conduct or skill of a member of an association registered under POARA does not meet professional standards, a consumer may file a complaint with the association’s discipline committee.

Minister responsible

The Minister of Labour and Immigration is responsible for POARA.

Associations registered under POARA

Currently, POARA registers 13 non-health PROs, including the:

- Alberta Assessors' Association;
- Alberta Association of Landscape Architects;
- Alberta Human Ecology and Home Economics Association;
- Alberta Professional Planners Institute;
- Alberta Shorthand Reporters' Association;
- Alberta Society of Professional Biologists;
- Association of School Business Officials of Alberta;
- Association of the Chemical Profession of Alberta;
- Canadian Information Processing Society of Alberta;
- Electrical Contractors Association of Alberta;
- Institute of Certified Management Consultants of Alberta;
- Society of Local Government Managers of Alberta; and
- Supply Chain Management Association Alberta.

No requirement to use a registered member to perform services

There is no requirement to use registered members for services. Consumers are not obligated to deal with members of registered associations. Non-members may provide the same or similar services, but they cannot use the titles or abbreviations reserved for members.

Applying for registration under POARA

For a professional association to become registered under POARA, a compelling argument must be made to support the need to regulate professions and to introduce a protected professional title. Prior to



submitting an application, the association should first have a discussion or meeting with the Registrar. This will help inform the association on the registration process, associated costs, the intent of the legislation and the potential impact and/or benefits of registration to the profession and the public. After this discussion, the association may present a completed application to the Registrar.

Registrar's role

The Registrar acts as an advisor and consultant to associations, government departments and the public. The Registrar is responsible for conducting investigations into each application and provides advice to the Minister regarding registration under POARA. If an association is registered under POARA, the Registrar monitors its performance to ensure it fulfills its responsibilities in the public interest and public safety.

The Registrar also establishes and maintains a Register of Registered Professional and Occupational Associations, in accordance with the Act, showing:

- the names of all registered associations;
- the designated title of the members of each registered association;
- a description of and the field of practice of members of each registered association;
- the names of chairs of the Discipline Committees and the officers of the registered associations;
- the head office address for each registered association; and
- any other matters prescribed by the Minister.

The Registrar shall, during regular office hours, permit the inspection of the Register by any person.

After an application is submitted

The Registrar will complete an investigation to determine if the association meets the requirements for registration. This includes determining if registration is required to serve and protect both the public interest and public safety, whether the

association represents a majority of practitioners, a review of the association's current processes, standards of conduct and rules of practice and discipline and whether the association has the financial resources to be economically viable in the long-term.

On concluding a registration review, the Registrar will provide written advice to the Minister respecting their findings. The Minister then decides how to proceed.

The Minister will recommend the registration of an association under POARA to Cabinet if the Minister believes it is in the public interest, the interest of public safety and otherwise consistent with the Act to recommend that the association be registered under this Act.

Registration investigation criteria

Associations applying for registration under POARA must meet certain criteria, as detailed in legislation. Each application is assessed to determine whether or not it is in the public interest, in the interest of public safety and otherwise consistent with this Act for the association to be registered under this Act. These investigations involve consultation with officers and members of the association, employers, interested organizations, government departments and others potentially affected by the association's registration.

Please see the sample POARA Application Guide for details at: [Insert web link](#).

Registration process

The registration process includes three stages:

1. Application and Stakeholder Consultation

The application is submitted to the Registrar by the association and includes the following parts:

- the POARA application form;
- a summary of the association's stakeholder consultation;

- an application fee in the amount of \$750 payable to the Government of Alberta; and
- any other information requirements that may arise and are discussed by the association and Registrar.

With guidance from the Registrar, the association must undertake stakeholder consultation with professional organizations, employers, educational institutions and government departments and agencies that have an interest in the profession. Industry stakeholders, both supportive and opposed, must be consulted. Many associations choose to address contentious issues within their membership and with industry stakeholders prior to applying for registration.

If the Registrar supports the association becoming registered, the Registrar will provide written advice to the Minister regarding the findings.

2. Review by Government

Once the registration is approved through the government decision-making process (including Cabinet), the Registrar will continue to work with the association by helping the association prepare a policy document that will result in the regulation proposal. The policy document must also identify the recommended standards for registration, education, scope of practice and code of ethics.

Once the regulation proposal is complete, the association will undertake a second stakeholder consultation to obtain feedback on their proposed regulation. The association must gain membership approval of the regulation proposal prior to approval by Cabinet.

3. Assumption of Regulatory Authority

Once registered, the association assumes responsibility for the daily governance of the profession or occupation.

The association must be capable of carrying out the responsibilities of self-regulation. They must establish a governing body to make regulations and bylaws. These regulations should set out the

members' field of practice, registration requirements and standards of conduct and competence.

The association's self-governing responsibilities include developing standards of practice, ensuring ongoing practitioner competence and maintaining a disciplinary process to hear complaints regarding practitioners. Registered associations must keep a register of members' names, must submit an annual report as well as an annual registration fee of \$400 to the Registrar.



Registration timelines

The registration process can take between two and three years to complete. Timing is dependent on the association's resources, levels of stakeholder and industry support for its registration and the capacity of the association to build a compelling argument that registration is in the public interest and in the interest of public safety.

Registration costs

The initial application fee is \$750. The association is also responsible for all costs associated with stakeholder and membership consultation. There is no guarantee that the Alberta government will approve an application for registration.

Registration review

As a result of recent amendments to POARA, government's expectations regarding registration have been updated and are now more clearly outlined, transparent, easier to understand and provide greater protection for Albertans. There are

now updated requirements for obtaining and maintaining registration under.

POARA provides authority for the Registrar to conduct a review of the PROs registered under the Act to assess their continued qualification for registration.

When a review is directed by the Minister, the Registrar will notify the PRO in writing, advising that a registration review will be conducted.

Information on specific details that need to be addressed in a registration review

Please see the sample POARA Review Guide for details at <https://www.alberta.ca/professional-governance.aspx>

Once a registration review is completed

Once the Registrar has concluded the investigation, they will provide written advice to the Minister. Should the Minister determine that the continued registration of the association is not in the public interest, the interest of public safety and/or is not otherwise consistent from the Act, the Minister will recommend to Cabinet that the association's registration be cancelled.

Judicial review

If an association receives notification that its registration has been cancelled, the association may file an application for judicial review with the Court of Queen's Bench within 30 days of receiving the Registrar's notice.

More information

Please visit web link for additional information. You may also access the act at: <https://www.qp.alberta.ca/documents/Acts/P26.pdf>.

For any questions or inquiries, please contact the Registrar at:

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